

THE HONORABLE JOHN L. ROBART

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BOARDS OF TRUSTEES OF THE
CEMENT MASONS & PLASTERES
HEALTH & WELFARE TRUST, *et al.*,

Plaintiffs,

v.

LUNDEEN SIMONSON
INCORPORATED, *et al.*,

Defendant.

NO. 2:16-cv-01986-JLR

**STIPULATION AND JUDGMENT OF
DISMISSAL OF DEFENDANTS AND
ACTION WITH PREJUDICE AND
WITHOUT COSTS OR FEES TO ANY
PARTIES**

This Stipulated Dismissal is entered into between Plaintiffs and Defendants T.W. Clark Construction, LLC ("T.W. Clark"), Travelers Casualty and Surety Company of America ("Travelers") and City of Colville ("the City"). The parties hereby stipulate to a judgment of dismissal of all claims and causes of action by Plaintiffs against T.W. Clark, Travelers, and the City with prejudice and without costs or attorney fees to any party. The parties further stipulate to a judgment of dismissal of all claims and causes of action by Plaintiffs against Lundeen Simonson Incorporated without prejudice and without costs or attorney fees to any party.

STIPULATION AND JUDGMENT OF DISMISSAL
Cause No. 2:15-cv-01986-JLR – 1

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McKENZIE ROTHWELL BARLOW
& COUGHRAN, P.S.
1325 FOURTH AVE, SUITE 910
SEATTLE, WA 98101
(206) 224-9900



DATED this 27th day of April, 2017.

Witherspoon Brajcich McPhee
Attorneys for Defendants T.W. Clark
Construction, LLC. and Travelers Casualty
and Surety Company of America

/s/ James A. McPhee
James A. McPhee, WSBA # 26323

Ogden Murphy Wallace, PLLC
Attorneys for Defendant City of Colville

/s/ Charles D. Zimmerman
Charles D. Zimmerman, WSBA # 13694

NOW THEREFORE, it is hereby ordered and adjudged that all defendants and this

DATED this 27th day of April, 2017.

HONORABLE JAMES L. ROBART
UNITED STATES DISTRICT COURT JUDGE



Respectfully Submitted by:

McKenzie Rothwell Barlow
& Coughran, P.S.
Attorneys for Plaintiff Trust Funds

Witherspoon Brajcich McPhee
Attorneys for Defendants T.W. Clark
Construction, LLC. and Travelers Casualty
and Surety Company of America

/s/ Noelle E. Dwarzski
Noelle E. Dwarzski, WSBA #40041

/s/ James A. Mc Phee
James A. McPhee, WSBA # 26323

Ogden Murphy Wallace, PLLC
Attorneys for Defendant City of Colville

/s/ Charles D. Zimmerman
Charles D. Zimmerman, WSBA # 13694

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury under the laws of the State of Washington that on this 27th day of April, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification to all parties registered with CM/ECF in this matter. Defendant Lundeen Simonson Incorporated has not appeared in this matter.

Dated this 27th day of April, 2017, at Seattle, Washington.

/s/ Noelle E. Dwarzski
Noelle E. Dwarzski, WSBA #40041
McKENZIE ROTHWELL BARLOW
& COUGHRAN, P.S.
Attorneys for Plaintiffs

STIPULATION AND JUDGMENT OF DISMISSAL
Cause No. 2:15-cv-01986-JLR – 3

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& COUGHRAN, P.S.
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SEATTLE, WA 98101
(206) 224-9900